

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNITED STATES OF AMERICA §
 §
v. § CASE NO. 2:11-CR-11-1 JRG-RSP
 §
RANDY LEE SMART §

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Roy S. Payne regarding defendant's plea of guilty to Count 127 charging a violation of 21 U.S.C. § 841(c), Possession of a List 1 Chemical with Intent to Manufacture Methamphetamine. Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM P. 11, the Magistrate Judge recommends that the Court accept the defendant's guilty plea. The parties have filed no objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed July 17, 2012, are hereby ADOPTED.

It is further ORDERED that, pursuant to defendant's plea agreement, the Court finds defendant GUILTY of Count 127 of the indictment in the above-numbered cause.

So ORDERED and SIGNED this 21st day of August, 2012.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE